

## REMARKS

The present amendment is submitted in response to the Office Action dated January 24, 2007, which set a three-month period for response, making this amendment due by April 24, 2007.

Claims 1-12 are pending in this application.

In the Office Action, claims 1-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 3 was objected to under 37 CFR 1.75(c) as being of improper dependent claim form for failing to further limit the subject matter of a previous claim.

The Applicants note with appreciation the allowance of claims 1-12 if amended to overcome the rejections under Section 112, second paragraph.

Turning first to the rejection of claims 1-12 under Section 112, second paragraph, the Applicants respectfully disagree with the conclusion that claim 1 is indefinite because  $x$  and  $y$ , used in the expressions  $TiO_y$  and  $SiO_x$ , are not defined. The Applicants submit that it is not necessary to define the " $x$ " and " $y$ " values, since the practitioner in the relevant field would be aware that  $x$  and  $y$  respectively usually have the value of 2. However, this value may differ from 2. This is exactly what is intended to be expressed by the terms  $TiO_y$  and  $SiO_x$ .

By way of supporting the position that the use of " $x$ " and " $y$ " in such expressions is standard and not indefinite, the Applicants respectfully direct the Examiner's attention to U.S. Patent No. 5,773,319 as one example. Specifically, in column 2, line 39, the expressions " $SiO_x$ " and " $TiO_x$ " are cited. Again, the

practitioner/expert in the relevant field would recognize that what is stated with these expressions is that while the value is typically 2, for example, it also may be another value.

Because the use of the subscripts "x" and "y" in these types of expressions is common and would be understood by one skilled in the art, the Applicants respectfully submit that claim 1 is not indefinite for using such expressions.

In this amendment, claim 3 was amended to eliminate the limitations that the layer system has a thickness of less than 1200 nm. Claim 4 was amended to delete the term "preferably", as suggested by the Examiner.

In addition, the specification was amended to add a cross reference to the related priority document and to add sectional headings.

The Applicants respectfully submit that the present amendment addresses each of the formal matters raised in the outstanding Office Action. Since claims 1-12 have been allowed over the art of record, the Applicants respectfully submit that the application as amended now stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments, the undersigned would very much welcome a telephone call in order to resolve any remaining issues that will place the application into condition for allowance.

Respectfully submitted,

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